

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Raymond Orrand, Administrator, et al.,	:	
	:	
Plaintiffs,	:	Civil Action No. C2-05-739
	:	
v.	:	Judge Smith
	:	
Shelcom Construction Company, Inc.	:	Magistrate Judge Kemp
	:	
Defendant.	:	

CONSENT JUDGMENT ENTRY

This matter is before the Court upon the representation that Plaintiffs and Defendant herein have agreed to settle this matter without trial by a Consent Judgment. Audits of Defendant's books indicate fringe-benefit contribution delinquencies for the period from July 1, 2004 to April 30, 2005. Upon consideration of the foregoing, the Court finds Plaintiffs, Administrator and Trustees of the Ohio Operating Engineers Health Welfare Plan, Pension Fund, Apprenticeship Fund and Education Safety Fund, are entitled to judgment against Defendant, for fringe-benefit contribution delinquencies for the period from July 1, 2004 to April 30, 2005 in the amount of \$11,195.13 in delinquent contributions to the fringe-benefit funds, pursuant to 29 U.S.C. §1132(g)(2)(A); prejudgment interest of \$3,243.81 pursuant to 29 U.S.C. §1132(g)(2)(B), if paid before July 15, 2006 which shall continue to accumulate post judgment at 18% per annum, which is calculated to be \$5.52 per day thereafter for so long as the judgment remains unpaid; statutory interest of \$3,243.81 on the unpaid contributions pursuant to 29 U.S.C. §1132(g)(2)(C) if paid before July 15, 2006 which continue to accumulate post judgment at a rate of 18% per annum, which is calculated to be \$5.52 per day thereafter for so long as the

judgment remains unpaid; costs of \$250.00 and attorneys' fees pursuant to 29 U.S.C. §1132(g)(2)(D).

IT IS SO ORDERED.


George C. Smith
District Court Judge

Submitted by:

s/ Daniel J. Clark

Daniel J. Clark (0075125)
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
(614) 464-6436

Attorneys for Plaintiffs,
Raymond Orrand, Administrator, et al.

s/ Robert H. Fischer, Jr.

Robert H. Fischer, Jr. (0071532)
Taft, Stettinius & Hollister LLP
3500 BP Tower
200 Public Square
Cleveland, Ohio 44114-2302
(216) 241-2838

Attorney for Defendant
Shelcom Construction Company, Inc.